

THE
AMERICAN ASSOCIATION
FOR THE
RELIEF OF THE MISERY
OF
BATTLE FIELDS;

A CENTRAL NATIONAL COMMITTEE,
AUXILIARY TO THE "COMITÉ INTERNATIONALE DE SÉCOURS AUX
MILITAIRES BLESSÉS," CONSTITUTED BY AN INTERNATIONAL
CONFERENCE AT GENEVA, SWITZERLAND, IN OCT., 1863.

Its Constitution, with a Sketch of the International
Movement for the Amelioration of Suffering
among the Sick and Wounded of
Armies in the Field.



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I.

CONSTITUTION

OF THE

AMERICAN ASSOCIATION FOR THE RELIEF OF
THE MISERY OF BATTLE FIELDS;

AUXILIARY TO THE

“COMITÉ INTERNATIONALE DE SÉCOURS AUX MILITAIRES BLESSÉS,”

AT GENEVA, SWITZERLAND.

CONSTITUTION.

ART. 1. This Association, organized pursuant to an official invitation of the *Comité Internationale de Sécours aux Militaires Blessés*, of Geneva, shall consist of

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and such other persons as may hereafter be elected to membership; and it shall constitute a Central National Committee, auxiliary to the Genevan International Committee.

ART. 2. The objects of this Association are: first, to secure the adoption, by the Government of the United States, of

the international compact, providing for the neutrality of all persons in attendance upon the sick and wounded of hospitals, battle fields, etc., already adopted by most civilized nations; secondly, to collect and diffuse information touching the progress of mercy and the advancement of sanitary science, in its application to armies; thirdly, to coöperate with all other national associations, and with the Central Geneva Committee, in such ways as it may approve or find convenient for the furtherance of humanity on battle fields throughout the world.

ART. 3. This Association shall hold itself in readiness, in the event of a war upon its own soil, or its borders, to inaugurate such practical measures for the protection and relief of the sick and wounded of the opposing armies as may consist with the objects of the Association, as indicated in Art. 2.

ART. 4. The members named in Art. 1 shall constitute a Board of Management.

ART. 5. The Officers of the Board, and of the Association, shall be a President, a Secretary, and a Treasurer.

ART. 6. It shall be the duty of the President to preside at all meetings of the Board of Management, and to conduct the foreign correspondence with the Central Committee at Geneva, and with our own Government.

ART. 7. The Secretary shall keep the records and conduct the ordinary business correspondence, notify the meetings, and attend to any special duty assigned to him by the Board of Management.

ART. 8. The meetings of the Board of Management shall be held quarterly, on the second Mondays of January, April, July, and October, and at such other times as the Board may appoint, and whenever the President may call the Board together.

II.

SKETCH OF THE INTERNATIONAL MOVEMENT
FOR THE
AMELIORATION OF SUFFERING
AMONG THE
SICK AND WOUNDED OF ARMIES IN THE FIELD.

In November, 1863, Monsieur J. Henry Dunant published at Geneva, Switzerland, a narrative of his experience as an eye witness of the horrors subsequent to the deadly strife at Solferino, in 1859.

Moved by a consideration of the painful inadequacy of all means of succour for the wounded and dying of that bloody field, he urged the formation, in each country of Europe, of a permanent society for the relief of the wounded in battle, acting in the interest of its own country, but in a spirit of universal humanity. He claimed that the person of a combatant, prostrated by a wound, to whatever nation he belonged, should always be considered sacred. Also, that the condition of neutrality, and consequent freedom from capture by the enemy, should attach to the persons of the sanitary corps of the several belligerent armies, and that on the occasion of great battles, the services of benevolent persons, inclined to devote themselves to the relief of the wounded, should be more generally accepted as the necessary complement of the labors of the overworked official administrative staff.

M. Dunant suggested a uniform flag for the field and general hospitals of all civilized powers, and an identical

distinctive badge for all military surgeons and their assistants, both official and volunteers, and he did not restrain the expression of his hope that some, among the great military powers of Europe, might adopt the above-mentioned proposals by formal compact, and thus present a basis for their incorporation into the international law of the civilized world.

The *Souvenir de Solferino* of M. Dunant excited great attention in Europe. It passed to several editions, each in French and German, and was translated rapidly into the English, Dutch, Italian, Swedish, Russian, and Spanish languages.

Invited The general sympathy which it worked encouraged the Geneva Society of Public Utility to constitute a permanent commission of five members of that body, for the purpose of securing a formal expression of European public sentiment in advocacy of its recommendations. The illustrious General Dufour, commander-in-chief of the Swiss Federal army, was named president of the commission, and M. Dunant its secretary.

This commission convoked a conference at Geneva in October, 1863, asking to it, by invitations addressed to the ministers of war of all the European governments, official representatives from every European power, and also the representatives of such corporate bodies and associations as seemed to be especially qualified for the discussion of the topics proposed, or were especially interested in the adoption of an international code.

This first international conference was attended by thirty-six delegates, eighteen of them being the official representatives of fourteen governments, including those of Great Britain, France, Spain, Austria, Prussia, Italy, Russia, and Sweden.

The commission had accompanied their circulars of invitation by copies of a proposed code of international enactments, expressing their matured opinions regarding the topics submitted for consideration.

This code was earnestly discussed for four days, when the conference embodied its views in a series of resolutions, and committed to the Geneva Commission, now re-named *Comité Internationale de Sécurité aux Militaires Blessés*, the charge of securing for the proposals of the conference their embodiment in legal enactments.

The recommendations of the conference were chiefly these:

That in each country which was willing to adhere to the agreement proposed by the Geneva Commission, a committee should be formed with the view of coöperating, in all possible ways, in case of war, with the sanitary service of its army;

That each committee should put itself in communication with the government of its country to that end, that its offers of service might be acceptable when they should be needed;

That in time of peace the committee should engage in such employments as would best fit them for usefulness during war, especially in preparing supplies of hospital stores, and in forming and instructing classes of volunteer hospital nurses;

That during war the committees of belligerent nations should furnish, in proportion to their resources, assistance to their respective armies, particularly that they should organize and employ volunteer hospital nurses, and engage them, in subjection to the military authority, at the dépôts for the care of the wounded. (They should be permitted to solicit the assistance of committees of neutral nations;)

That on the invitation, or with the permission of the military authority, the national committee should send to battle fields volunteer relief agents, who should be made subject to the orders of the chief military officers, and who should, in every country, wear upon the arm, as a distinctive uniform badge, a red cross upon a white ground.

In addition to the above recommendations, the conference expressed the wish that governments would extend their protection to national committees, when formed, and as far as possible facilitate their objects.

That the neutrality of general and field hospitals should be declared by belligerent nations, and that it should also be accorded in the fullest degree to the official personnel of the sanitary service, to the unpaid nurses, to the inhabitants of the country who might go to the relief of the wounded, and to the wounded themselves;

That a distinctive and uniform badge should be adopted for the official sanitary corps of all armies, or at least for all persons of the same army, belonging to that service, and that a uniform flag should also be adopted by all countries for temporary and general hospitals.

The Central Geneva Committee promptly engaged in correspondence with most of the cabinets of Europe for the purpose of ascertaining to what degree they were willing to adopt the recommendations elaborated by the Conference of Geneva. Within a few months, fifteen states signified their willingness to accept the propositions as part of an international code.

The committee thereupon solicited the authorities of the Swiss Confederation to summon a congress of sovereigns to consider, concertedly, stipulations which might be incorporated into the law of nations, concerning persons wounded in battle, and those carrying them assistance.

The Swiss Federal Council acceded to this proposal, and in June, 1864, issued an invitation to all civilized powers to take part in a general congress about to assemble under its auspices at Geneva, in August, to consider this especial question of securing, by international enactments, neutrality in time of war for hospitals, ambulances, surgeons, and all persons legitimately engaged in caring for the sick and wounded.

The French government so heartily desired the success of this novel congress that it warmly supported the invitation before several of the European cabinets.

The congress constituted by the representatives of sixteen states assembled at the City Hall, in Geneva, on the 8th of August, and remained in consultation until August 22d. The Swiss delegation submitted a plan of a convention for the discussion of the congress, embodying most of the provisions asked for by the conference of October, 1863.* After full and varied discussion, it was, without vital modification, adopted, so far as the assent of the twelve nations signing the treaty could make it so, as the public law of nations.† The representatives of four States present at the congress were not authorized by their respective governments to sign the treaty; therefore, to enable them to sign it at a later date, when the assent of their governments might be accorded, and to afford to other governments who had not sent plenipotentiaries to the congress an opportunity to

*The request for governmental sanction and support of voluntary aid committees was considered as pertaining to the special province of the separate governments, and as not properly within the range of international law, therefore not included by the powers of the congress. It was subsequently excluded from the draft of a treaty prepared by the Swiss delegation for the consideration of the congress.

†Appendix.

accede to the same, the convention was left open. It has, since that date, through the intervention of the Swiss Confederation, by virtue of article 9 of the convention, received the accession of all of the chief civilized powers of the world, with the exception of Austria, Turkey, and the United States.

That the Government of the United States could not, in 1864, have bound itself to accept the treaty stipulations of the Congress of Geneva, needs little argument. The Honorable the Secretary of State, when consulted concerning the approaching Congress of Geneva, is reported to have said that "our Government, while always ready to forward all humanitarian action, has a well-understood policy of holding itself aloof from all European congresses or compacts of a *political* nature; that it had sent delegates to the Postal Congress at Paris, the Statistical Congress at Berlin, and to those relating to agriculture, in other parts of Europe; but that the congress now proposed to be held at Geneva, being for the modification of international laws of war, and the signing of a treaty binding upon our Government, *while in the midst of war with a relentless and barbarous foe*, was one of greater significance, and the sending of a delegate or delegates, officially empowered to represent and act for the United States, was, from the very difficulties apparent, nearly or quite impossible. That, nevertheless, the United States Government stands ready to treat with any *one*, or with all other powers, individually, for the accomplishment of the grand objects of the Geneva Congress, or even to adopt, later, the treaty stipulations which shall wisely emanate and result from that congress. The Government wishes to act as a free agent, with option in these premises, and in its own good time."

The changed condition of the nation in 1866 does not, it may be hoped, demand this cautious attitude, and the members of the American Association for the Relief of the Misery of Battle Fields, in accepting the pressing invitation of the parent committee to lend their coöperative aid in mitigating the sufferings of war, are animated by the hope that their own Government need not longer hesitate to constitute the United States of America a partner in the compact of Geneva.

APPENDIX.

A.

CONVENTION.

POUR L'AMÉLIORATION DU SORT DES MILITAIRES BLESSÉS
DANS LES ARMÉES EN CAMPAGNE.

Son Altesse Royale le Grand Duc de Bade,
Sa Majesté le Roi des Belges,
etc. etc. etc.

également animés du désir d'adoucir, autant qu'il dépend d'eux, les maux inséparables de la guerre, de supprimer les rigueurs inutiles et d'améliorer le sort des militaires blessés sur les champs de bataille, ont résolu de conclure une Convention à cet effet, et ont nommé pour leur Plénipotentiaires, savoir :

Son Altesse Royale le Grand Duc de Bade

Le Sieur, etc.

Sa Majesté le Roi des Belges,

Le Sieur, etc.

Etc. etc. etc.

Lesquels, après avoir échangé leurs pouvoirs trouvés en bonne et due forme, sont convenus des articles suivants.

ARTICLE PREMIER.

Les ambulances et les hôpitaux militaires seront reconnus neutres, et comme tels, protégés et respectés par les belligérants, aussi longtemps qu'ils s'y trouvera des malades ou des blessés.

La neutralité cesserait, si ces ambulances ou ces hôpitaux étaient gardés par une force militaire.

ARTICLE 2.

Le personnel des hôpitaux et des ambulances, comprenant l'intendance, les services de santé, d'administration, de transport des blessés, ainsi que les aumôniers, participera au bénéfice de la neutralité lorsqu'il fonctionnera, et tant qu'il restera des blessés à relever ou à secourir.

ARTICLE 3.

Les personnes désignées dans l'article précédent pourront, même après l'occupation par l'ennemi, continuer à remplir leurs fonctions dans l'hôpital ou l'ambulance qu'elles desservent, ou se retirer pour rejoindre le corps auquel elles appartiennent.

Dans ces circonstances, lorsque ces personnes cesserront leurs fonctions, elles seront remises aux avant-postes ennemis, par les soins de l'armée occupante.

ARTICLE 4.

Le matériel des hôpitaux militaires demeurant soumis aux lois de la guerre, les personnes attachées à ces hôpitaux ne pourront, en se retirant, emporter que les objets qui sont leur propriété particulière.

Dans les mêmes circonstances, au contraire, l'ambulance conservera son matériel.

ARTICLE 5.

Les habitants du pays qui porteront secours aux blessés seront respectés et demeureront libres.

Les généraux des Puissances belligérantes auront pour mission de prévenir les habitants de l'appel fait à leur humanité, et de la neutralité qui en sera la conséquence.

Tout blessé recueilli et soigné dans une maison y servira de sauvegarde. L'habitant qui aura recueilli chez lui des blessés sera dispensé du logement des troupes, ainsi que d'une partie des contributions de guerre qui seraient imposées.

ARTICLE 6.

Les militaires blessés ou malades seront recueillis et soignés, à quelque nation qu'ils appartiendront.

Les Commandants en chef auront la faculté de remettre immédiatement aux avant-postes ennemis, les militaires ennemis blessés pendant le combat, lorsque les circonstances le permettront et du consentement des deux partis.

Seront renvoyés dans leur pays ceux qui après guérison, seront reconnus incapables de servir.

Les autres pourront être également renvoyés à la condition de ne pas reprendre les armes pendant la durée de la guerre.

Les évacuations, avec le personnel qui les dirige, seront couvertes par une neutralité absolue.

ARTICLE 7.

Un drapeau distinctif et uniforme sera adopté pour les hôpitaux, les ambulances et les évacuations. Il devra être, en toute circonstance, accompagné du drapeau national.

Un brassard sera également admis pour le personnel neutralisé ; mais la délivrance en sera laissée à l'autorité militaire.

Le drapeau et le brassard porteront croix rouge sur fond blanc.

ARTICLE 8.

Les détails d'exécution de la présente Convention seront réglés par les Commandants en chef des armées belligérantes, d'après les instructions de leurs Gouvernements respectifs, et conformément aux principes généraux énoncés dans cette Convention.

ARTICLE 9.

Les hautes Puissances Contractantes sont convenues de communiquer la présente Convention aux Gouvernements qui n'ont pu envoyer des Plénipotentiaires à la Conférence Internationale de Genève, en les invitant à y accéder ; le protocole est à cet effet laissé ouvert.

ARTICLE 10.

La présente Convention sera ratifiée, et les ratifications en seront échangés à Berne, dans l'espace de quatre mois, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs l'ont signée et y ont opposé le cachet de leurs armes.

Fait à Genève, le vingt-deuxième jour du mois d'Août de l'an mille huit cent soixante-quatre.

Ce traité a été signé par les Plénipotentiaires de:

SON ALTESSE ROYALE LE GRAND DUC DE BADE.

SA MAJESTÉ LE ROI DES BELGES.

SA MAJESTÉ LE ROI DE DANEMARK.

SA MAJESTÉ LA REINE D'ESPAGNE.

SA MAJESTÉ L'EMPEREUR DES FRANÇAIS.

SON ALTESSES ROYALE LE GRAND DUC DE HESSE-DARMSTADT.

SA MAJESTÉ LE ROI D'ITALIE.

SA MAJESTÉ LE ROI DES PAYS-BAS.

SA MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVES.

SA MAJESTÉ LE ROI DE PRUSSE.

LA CONFÉDÉRATION SUISSE.

SA MAJESTÉ LE ROI DE WURTEMBERG.

B.

TREATY.

FOR THE AMELIORATION OF THE CONDITION OF WOUNDED SOLDIERS OF ARMIES IN THE FIELD.

The Sovereigns of the countries following, to wit: Italy, Baden, Belgium, Denmark, Holland, Spain, Portugal, France, Prussia, Saxony, Wurtemburg, and the Federal Council of Switzerland, animated with a common desire of mitigating, as far as in their power, the evils inseparable from war, of suppressing needless severities, and of ameliorating the condition of soldiers wounded on the field of battle, have determined to conclude a treaty for this purpose; and, having named plenipotentiaries to sign such a Convention, these plenipotentiaries, after the due interchange of their powers, found to be in good and proper form, have agreed upon the following articles, to wit:

ARTICLE 1.

Ambulances and military hospitals shall be acknowledged to be neuter, and, as such, shall be protected and respected by belligerents so long as any sick or wounded may be therein.

Such neutrality shall cease if the ambulances or hospitals should be held by a military force.

ARTICLE 2.

Persons employed in hospitals and ambulances, comprising the staff for superintendence, medical service, administration, transport of wounded, as well as chaplains, shall participate in the benefit of neutrality whilst so employed, and so long as there remain any wounded to bring in or to succor.

ARTICLE 3.

The persons designated in the preceding article may, even after occupation by the enemy, continue to fulfil their duties in the hospital or ambulance which they serve, or may withdraw in order to rejoin the corps to which they belong.

Under such circumstances, when those persons shall cease from their functions, they shall be delivered by the occupying army to the outposts of the enemy.

ARTICLE 4.

As the equipment of military hospitals remains subject to the laws of war, persons attached to such hospitals cannot, in withdrawing, carry away any articles but such as are their private property.

Under the same circumstances an ambulance shall, on the contrary, retain its equipment.

ARTICLE 5.

Inhabitants of the country who may bring help to the wounded shall be respected, and shall remain free. The Generals of the belligerent powers shall make it their care to inform the inhabitants of the appeal addressed to their

humanity, and of the neutrality which will be the consequence of it.

Any wounded man entertained and taken care of in a house shall be considered as a protection thereto. Any inhabitant who shall have entertained wounded men in his house shall be exempted from the quartering of troops, as well as from a part of the contributions of war which may be imposed.

ARTICLE 6.

Wounded or sick soldiers shall be entertained and taken care of, to whatever nation they may belong.

Commanders-in-chief shall have the power to deliver immediately to the outposts of the enemy soldiers who have been wounded in an engagement, when circumstances permit this to be done, and with the consent of both parties.

Those who are recognized, after their wounds are healed, as incapable of serving, shall be sent back to their country.

The others may also be sent back, on condition of not bearing arms during the continuance of the war.

Evacuations, together with the persons under whose directions they take place, shall be protected by an absolute neutrality.

ARTICLE 7.

A distinctive and uniform flag shall be adopted for hospitals, ambulances, and evacuations. It must, on every occasion be accompanied by the neutral flag. An arm-badge (brassard) shall also be allowed for individuals neutralized, but the delivery thereof shall be left to military authority.

The flag and the arm-badge shall bear a red cross on a white ground.

ARTICLE 8.

The details of execution of the present Convention shall be regulated by the commanders-in-chief of belligerent armies, according to the instructions of their respective Governments, and in conformity with the general principles laid down in this Convention.

ARTICLE 9.

The High Contracting Powers have agreed to communicate the present Convention to those Governments which have not found it convenient to send plenipotentiaries to the International Conference at Geneva, with an invitation to accede thereto; the protocol is for that purpose left open.

ARTICLE 10.

The present Covention shall be ratified, and the ratifications shall be exchanged at Berne, in four months, or sooner if possible.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Geneva, the twenty-second day of August, one thousand eight hundred and sixty-four.

(Signed,) * * * * *